

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JASMINE TORO, on behalf of herself and all others  
similarly situated,

Plaintiff,

-against-

Z-COIL, INC.,

Defendant.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 5/21/2024

23-CV-07067 (MMG)

**DEFAULT JUDGMENT**

MARGARET M. GARNETT, United States District Judge:

WHEREAS this action was commenced by Plaintiff Jasmine Toro (“Plaintiff”) on August 10, 2023, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint was personally served on Defendant Z-Coil Inc. (“Defendant”) on August 25, 2023, with proof of service having been filed on August 25, 2023;

WHEREAS Defendant has not answered the Complaint, and the time for answering the Complaint has expired;

WHEREAS Plaintiff on March 5, 2024, moved for entry of a default judgment against Defendant under Rule 55(b)(2) of the Federal Rules of Civil Procedure and Local Rule 55.2.

WHEREAS Plaintiff filed her application for entry of default judgment seeking \$1,500.00 in statutory compensatory damages for violations of the New York State Human Rights Law § 40-D, plus \$6,097.00 in attorney’s fees, costs, and disbursements.

WHEREAS, Defendant has not filed any opposition to Plaintiff’s application for default judgment.

WHEREAS the Court scheduled a hearing for Plaintiff’s application for default judgment for April 18, 2024, and Defendant failed to appear.

WHEREAS Plaintiff's counsel, Mars Khaimov, Esq., on May 3, 2024, filed an Affidavit in Support of Statement of Damages, Fees, and Costs in further support of the application for default judgment.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. That a preliminary and permanent injunction to prohibit Defendant from violating the Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York, is hereby GRANTED as follows: A preliminary and permanent injunction requiring Defendant to take all the steps necessary to make its Website into full compliance with the requirements set forth in the ADA, and its implementing regulations, so that the Website is readily accessible to and usable by blind individuals.
2. That a declaration that Defendant owns, maintains and/or operates its Website in a manner that discriminates against the blind and which fails to provide access for persons with disabilities as required by Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York is hereby GRANTED.
3. That Plaintiff has a judgment against Defendant in the amount of \$1,500.00; plus attorneys' fees, costs, and disbursements of this action in the amount of \$6,097.00.

This is a final appealable order. *See* Fed. R. App. P. 4(a).

Dated: May 21, 2024  
New York, New York

SO ORDERED.

  
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MARGARET M. GARNETT  
United States District Judge